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DEPARTMENT OF LAND AND NATURAL RESOURCES
DIVISION OF BOATING AND OCEAN RECREATION

Amendment to Chapter 13-256
Hawaii Administrative Rules

October 9, 2015

SUMMARY

1. Section 13-256-152, Hawaii Administrative Rules,
is amended.

§13-256-152 Kahaluu Bay ocean waters. (a)Kahaluu Bay ocean waters means the area shown on Exhibit "H-5", dated November 20, 2014, located at the end of this subchapter and incorporated herein. The boundaries are as follows:—Beginning at the low water mark of Kalaau o Kalakani Point at 19°34'37.81"N, 155°58'10.50"W; then to a point on the low water mark on the northern side of the Kahuluu Bay at Kamoia Point at 19°35'09.24"N, 155°58'15.91"W; then along the shoreline in a southerly direction to the point of beginning.

- (1) Restrictions. Kahaluu Bay ocean waters is designated as a swimming, surf boarding, and diving zone.
- (2) No commercial water sports instruction or commercial tours may be conducted in Kahaluu Bay ocean waters without a permit from the department.

(b) Kahaluu Bay Zone A is described as follows: Beginning at a point on the low water mark on the northern side of the shoreline at 19°34'59.48"N, 155°58'06.11"W (hand rail); then south-easterly along the shoreline to the north lifeguard tower at 19°34'48.67"N, 155°57'58.88"W; then seawards northwesterly to Pyramid Rock at 19°34'50.21"N, 155°58'07.98"W; then seawards north-easterly ending at the point of beginning.

- (1) Restrictions. Zone A is designated as a surfing zone.
- (2) The department may issue a total of up to four permits for commercial surf school instruction within Zone A. Each permit shall authorize surf school instructors to conduct surfing instruction only within Zone A.
- (3) Each instructor shall have no more than four students in the water at a given time, with a maximum of eight students per surf school permit in the water at any given time. The maximum of one-to-four instructor-to-student ratio must be maintained at all times while in the water.

- (4) The instructor shall, at a minimum, possess a current advanced life saving certificate, and be authorized by the County of Hawaii to conduct surf instruction on County property at Kahaluu Bay.
- (5) The department may designate the site of instruction within Kahaluu Bay Zone A and hours of operation for each permittee, and may change the site whenever such changes are found by the department to be necessary.

(c) Kahaluu Bay Zone B is described as follows: Beginning at Kalaau O Kalakani Point at 19°34'37.81"N, 155°58'10.50"W; then northeasterly along the shoreline to the north lifeguard tower at 19°34'48.67"N, 155°57'58.88"W; then seawards north-westerly to Pyramid Rock at 19°34'50.21"N, 155°58'07.98"W; then seawards in a southerly direction ending at Kalaau O Kalakani Point at the point of beginning.

- (1) Restrictions. Zone B is designated as a swim zone.
- (2) No person shall operate or moor any vessel within this zone, including but not limited to boats, motorboats, surfboards, paddleboards, sailboards, kayaks, and canoes." [Eff 2/24/94; am]
(Auth: HRS §§200-2, 200-3, 200-4, 200-22, 200-24) (Imp: HRS §§200-2, 200-3, 200-4, 200-22, 200-24)

The amendment to Chapter 13-256, Hawaii Administrative Rules, on the summary page dated October 9, 2015, was adopted on October 9, 2015, following a public hearing held on Hawaii on April 29, 2015, after public notice was given in the Honolulu Star Advertiser, West Hawaii Today and the Hawaii Tribune Herald on March 29, 2015.

The amendment shall take effect ten days after filing with the Office of the Lieutenant Governor.

/s/ Suzanne D. Case

SUZANNE D. CASE
Chairperson
Board of Land and Natural Resources

APPROVED AS TO FORM:

/s/ William J. Wynhoff

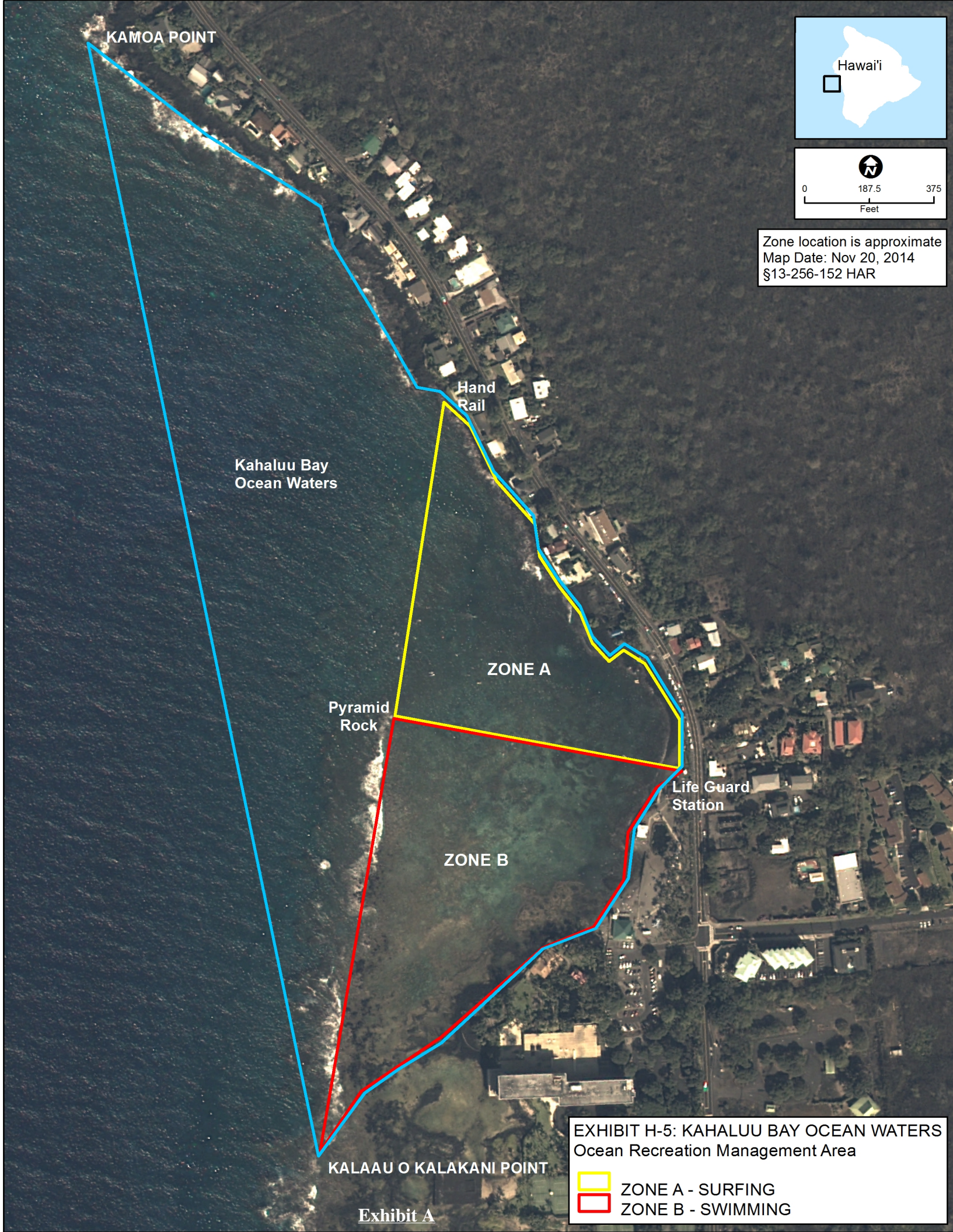
Deputy Attorney General

/s/ David Y. Ige

DAVID Y. IGE
Governor
State of Hawaii

Date: _____

Filed: **04/26/2016**



KAMOA POINT

Hawai'i



0 187.5 375
Feet

Zone location is approximate
Map Date: Nov 20, 2014
§13-256-152 HAR

Kahaluu Bay
Ocean Waters

Hand
Rail

ZONE A

Pyramid
Rock



ZONE B

Life Guard
Station

KALAAU O KALAKANI POINT

Exhibit A

EXHIBIT H-5: KAHALUU BAY OCEAN WATERS
Ocean Recreation Management Area

 ZONE A - SURFING
 ZONE B - SWIMMING